

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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RICHARD G. LIPPOLD,

Plaintiff,

MEMORANDUM
AND
ORDER

- against -

05-CV-1936 (TCP)(AKT)

BVI EMPLOYMENT LLD, t/a SAIL
CARIBBEAN, et al.,

Defendants.

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PLATT, District Judge.

By letter dated December 12, 2006, defense counsel has requested an “extended briefing schedule” which takes into account resolution of the pending objections before this Court and Magistrate Judge Tomlinson’s decision on defendant’s motion to preclude Dr. Fries.

Under this Court’s rules with respect to motion practices, counsel for the parties should without notice or advice to the Court with respect to the same, arrange for the exchange of all motion papers between themselves and after all exchanges have been complete they should communicate with the Court’s Deputy Courtroom Clerk and arrange for a simultaneous filing of all papers and for a date approximately one week thereafter for oral argument.

The Court is unaware of any rule which prevents the parties from

obtaining rulings from the Court with respect to Magistrate Judges' orders before the issuance by the Magistrate Judge of any Report and Recommendation (See 28 U.S.C. § 636(b)(1)).

The foregoing does not change the rule that all motions with respect to pre-trial discovery should first be made to the Magistrate Judge assigned to the case.

SO ORDERED.

/s/ _____
United States District Judge

Dated: Central Islip, New York
December 14, 2006